

BEFORE THE PUBLIC SERVICE COMMISSION

OF THE STATE OF DELAWARE

IN THE MATTER OF THE APPLICATION OF THE)
REVIEW OF CUSTOMER CHOICE IN THE STATE) PSC DOCKET NO. 15-1693
OF DELAWARE (FILED DECEMBER 23, 2015))

ORDER NO. 9397

AND NOW, this 21ST day of May, 2019, the Delaware Public Service Commission (the "Commission") determines and orders the following:

WHEREAS, Senate Substitute No. 1 for Senate Bill 160, FY2016 Bond and Capital Improvements Act of the State of Delaware, Section 68, created the Electricity Affordability Committee ("EAC") for the purpose of evaluating an opt-in electricity affordability program for residential and small business customers; and

WHEREAS, at its initial meeting on September 30, 2015, the EAC requested the Public Service Commission Staff ("Staff") to conduct workshops to identify issues that inhibit Delaware electric customers from participating in the electric choice market and recommend possible solutions; and

WHEREAS, Staff conducted two workshops in October 2015, in which Staff, the Delaware Division of the Public Advocate, Delmarva Power, individual third party electric suppliers, Senator Colin Bonini, and others participated; and

WHEREAS, after the workshops were concluded, Staff produced a report for the EAC identifying eight (8) recommendations to improve customer participation in the electric choice market which fall under the PSC's purview; and

WHEREAS, on December 14, 2015, the EAC petitioned the Commission to review ways of enhancing customer choice in Delaware including whether to: (1) adopt a Purchase of Receivables ("POR") program; (2) include third-party supplier information on Delmarva Power & Light Company's bills; (3) allow new and relocating customers to receive supply from their preferred supplier immediately; (4) allow customers to enroll with a third-party supplier without requiring them to provide their Delmarva Power identifying information; (5) re-examining Standard Offer Supply ("SOS") procurement; (6) finalizing Commission regulations governing third-party electric suppliers, (7) establish periodic monitoring of the status of customer choice, and (8) modify the current practice of requiring new customers to take SOS for at least one month prior to selecting another supplier; and

WHEREAS, on April 19, 2018, the parties entered into a Stipulated Order approved by the Senior Hearing Examiner which limited the scope of an evidentiary hearing to three (3) issues: (1) whether to adopt a POR) program, and if so, under what conditions; (2) whether Delmarva should be required to provide customer retail choice bill inserts ("bill inserts") to customers, and, if so, with what content and how often; and (3) whether Delaware should have a supply choice website ("Choice Website"), and, if so, (a) what (if any) role the Commission should have regarding the website, and (b) who would be responsible for the costs in relation to each issue was also a concern. In the Stipulated Order, at paragraph 2, the parties agreed "that a new

docket shall be established to determine whether supplier consolidated billing (SCB) should be adopted in Delaware in accordance with 26 Del.C. § 1011"; and

WHEREAS, an evidentiary hearing was held before the Senior Hearing Examiner on April 19, 2018; and

WHEREAS, on August 21, 2018, the Commission adopted the Findings and Recommendations of the Hearing Examiner in Order No. 9220 and ordered a separate docket be opened to address whether third party supplier consolidated billing be permitted in and adopted for the State of Delaware;

**NOW, THEREFORE, IT IS ORDERED BY THE AFFIRMATIVE
VOTE OF NOT FEWER THAN THREE COMMISSIONERS:**

1. That a separate docket be opened to address whether third party supplier consolidated billing be permitted in and adopted for Delaware.

2. That the Commission retains the jurisdiction and authority to enter such further orders in this docket as may be deemed necessary or proper.

BY ORDER OF THE COMMISSION:

Chairman

Commissioner

Commissioner

Commissioner

Commissioner

ATTEST:

Secretary